

IN THE COURT OF APPEALS FOR THE
SECOND DISTRICT OF TEXAS

CRYSTAL MASON,
APPELLANT

V.

THE STATE OF TEXAS,
APPELLEE

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§

FILED IN
2nd COURT OF APPEALS
FORT WORTH, TEXAS
2/14/2019 2:33:56 PM
DEBRA SPISAK
Clerk
NO. 02-18-00138-CR

**STATE'S SECOND MOTION FOR EXTENSION OF TIME
TO FILE ITS BRIEF ON APPEAL**

TO THE HONORABLE COURT OF APPEALS:

Pursuant to TEX. R. APP. P. 10.5(b), the State requests that the Court extend the time for filing the State's brief by thirty days, thus creating a new due date of March 21, 2019. The following allegations are made in support of this motion:

I.

The court below is the 432nd Judicial District Court of Tarrant County, Texas. The cause below was styled *The State of Texas v. Crystal Mason*, cause number 1485710D. The Hon. Ruben Gonzalez, Jr., presided.

II.

On March 28, 2018, the trial court found Appellant guilty of illegal voting and sentenced her to five years' confinement in the Institutional Division of the Texas Department of Criminal Justice. Appellant is currently incarcerated.

III.

Appellant filed a notice of appeal on March 28, 2018. The reporter's record was filed on May 21, 2018, and the clerk's record was filed on July 24, 2018.

IV.

Appellant was granted eighty-eight days in extensions to file her brief. Appellant filed her brief on November 19, 2018. The State's brief currently is due on February 19, 2019. The State has not previously requested and was granted a sixty-day extension of time to file its brief replying to Appellant's brief.

V.

This extension is not requested for purposes of delay, but in order to fully respond to Appellant's five points of error on appeal. Granting the State's motion should not significantly delay submission of the case.

VI.

Since returning from medical leave on January 22, 2019, counsel's duties have included preparing for and presenting oral argument to the Texas Court of Criminal Appeals in the death-penalty direct appeal of *Amos Joseph Wells III v. The State of Texas*, No. AP-77,070, on January 30, 2019; and working on a reply brief for the Texas Department of Family and Protective Services in the accelerated direct appeal in *In re S.S.*, No. 02-18-00353-CV, which is currently due on February 25, 2019.

WHEREFORE, PREMISES CONSIDERED, the State respectfully requests that the Court extend the time for filing the State's brief to March 21, 2019.

Respectfully submitted,

SHAREN WILSON
Criminal District Attorney
Tarrant County, Texas

JOSEPH W. SPENCE
Chief, Post-Conviction

/s/ Helena F. Faulkner
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Certificate of Conference

On February 14, 2019, Appellant's counsel, Alison Grinter, informed Joseph W. Spence, chief of the post-conviction section of the Tarrant County Criminal District Attorney's Office, that she does not oppose this motion for extension of time to file the State's brief.

/s/ Helena F. Faulkner
HELENA F. FAULKNER

Certificate of Service

On February 14, 2019, this State's motion was e-served on Appellant's counsel, Alison Grinter, alisongrinter@gmail.com; and Kim T. Cole, kcole@kcolelaw.com.

/s/ Helena F. Faulkner
HELENA F. FAULKNER